

Amendment filed May 18, 2006
Serial No. 10/713,446

REMARKS/ARGUMENTS

Claims 1, 3-7, 11, 13-17 and 21-34 were presented for examination. In the Action mailed February 27, 2006, the Examiner stated that all claims were rejected under 35 U.S.C. 103(a) as being unpatentable over Roses (U.S. PG-PUB No. 2003/0055871) in view of Noda (U.S. PG-PUB No. 2002/0030634) and Haeberli (US 6,587,596). Claims 1, 5, 7, 11, 15, 17, 21-23, 25-28, 30 and 34 have been amended. As discussed below, it is believed that the pending claims are in condition for allowance.

Comment re Amendments to the Claims

Some of the Examiner's remarks in the action of February 27, 2006 appear to indicate that the Examiner, at least occasionally, interpreted the claim term "image area" to mean a portion of an image. This is not the sense in which this term is used by Applicants. As noted in [0023] of the specification, the terms "image area" and "image container" are used interchangeably to refer to a component element of an electronic document design for containing image content. To avoid any potential confusion, claims 1, 5, 7, 11, 15, 17, 21-23, 25-28, 30 and 34 have been amended to replace all appearances of "image area" with "image container". Independent claims 1 and 11 have also been amended to make it clear that the image container the user is allowed to select is an image container in the electronic product design.

Overview of Claimed Subject Matter

Before turning to the references, the claimed invention will first be reviewed. The pending claims are not directed to how the displayed electronic product design was originally assembled or how images in the product design were originally

Amendment filed May 18, 2006
Serial No. 10/713,446

cropped before being incorporated into the design. The selection of a product design layout and the initial selection, cropping, and incorporation of images into the layout to create an electronic product design displayed to the user is not the subject matter of the pending claims. Rather, the pending claims are directed to methods and systems for facilitating rapid user customization of image content that is already present in an image container in a displayed electronic design.

Referring, for example, to the specific steps of claim 1, the initial step of the claim recites “displaying an electronic product design to a user, the design containing at least one user-customizable image containers, each image container having content that is at least a portion of a base image”. In other words, the first claimed step requires that a product design already exist and that it has at least one image container having content already present in the image container.

The second step of claim 1 recites “allowing the user to select an image container in the electronic product design for customization of the content of that image container”.

Finally, the third step of claim 1 recites “in response to a user request to perform custom cropping for the selected image container, displaying to the user the associated base image, and a cropping indicator positioned to indicate to the user the portion of the base image that is the current content of the image container”.

As will be discussed below, the disclosures of the references cited by the Examiner are directed to systems and methods for the selection, processing, and/or incorporation of images into an electronic product design. On the specific subject of how an image that has already been placed in a product design might be selected and re-cropped by the user, the references are either silent or teach completely different techniques.

Amendment filed May 18, 2006
Serial No. 10/713,446

35 U.S.C. 103(a) Rejections

As a preliminary matter, on page 3 of the Action of February 27, 2006, the Examiner indicates that all claims are rejected under 35 U.S.C. 103(a) as being unpatentable over Roses in view of Noda and Haeberli. However, it is noted that references to Blumberg appear on pages 5, 7, 10, and 13 of the Action of February 27, 2006. (It appears that these references to Blumberg may have been unintentionally carried over from the previous rejection, now withdrawn by the Examiner.) It is anticipated that, in view of the amendments and remarks herein, all pending claims will be determined to be in condition for allowance, however, if the Examiner decides to maintain the current rejection, the Examiner is respectfully requested to clarify whether Blumberg is being relied on by the Examiner to support the rejection of one or more claims under 35 U.S.C. 103(a).

Turning now to the cited references, the disclosures of Roses and Noda have been discussed in the comments provided with earlier amendments. Those comments are summarized below.

Roses discloses a system allowing a user to select a product template, select a desired image, and incorporate the image into the template to create a product design is described. Fig. 6 and paragraph [0043] of Roses indicate that the user can select "crop and scale to fit" in Image Attributes 612, which will cause the system to create a cropped version of the selected image and incorporate the cropped version into the product design when the user presses Place Image button 613. The user has no control over what portion of the image is cropped. After the user has pressed Place Image 613 and placed the image version in the product design, Roses discloses no system or method for allowing the user to modify the displayed version of the image so as to crop the image in a different way.

Amendment filed May 18, 2006
Serial No. 10/713,446

Noda discloses a system allowing a user to create a cropped version of an image using a user-controllable crop boundary is disclosed. Using the selection tools shown in Figs 7 and 8, the Noda user first selects a particular paper size and template option, such as shown in Figs 9A-F and Figs. 10A-D. In the example discussed in detail in Noda, the user has chosen the "Superimpose A4H" template, described in the first sentence of paragraph [0078] of Noda. This choice results in the displaying of the corresponding "framing image" being displayed in first sub display area 38, as shown in Figs. 3-6, 11, 13, 14, 16 and 17.

Referring to Fig. 3 of Noda, the original image, referred to in the Applicants' specification as the "base image", from which the user will select the portion to be incorporated into the product being created is displayed as image 46 in main display area 37. The framing image, which initially has no image content, is displayed in first sub display area 38. In the situation shown in Fig. 3, the user is engaged in preparing a cropped version of image 46 for incorporation into outer frame 47a. As discussed in Noda, for example at [0081] to [0083], a crop boundary 84 having the same aspect ration as outer frame 47a is displayed to the user. Crop boundary 84 is used to indicate to the user the portion of image 46 that would be placed in outer frame 47a. Crop boundary 84 can be resized and/or relocated by the user to select a desired portion of image 46. When the user completes manipulating crop boundary 84 and selects pasting button 56, as explained in Noda at [0100] to [0102], the area outside of crop boundary 84 is cropped out and the area within crop boundary 84 is pasted into outer frame 47a.

However, once the cropping operation is performed, Noda essentially forgets about the base image and works only with the cropped version. In the particular situation where the template includes a smaller image, such as inner frame 47b, superimposed on a larger image, Noda, as discussed in [0112] and [0115],

Amendment filed May 18, 2006
Serial No. 10/713,446

contemplates allowing the user to change the position or size of the smaller image, but these are changes only to the cropped version. If the Noda user desires to modify the cropping of the base image to create a differently cropped version, Noda provides no specific system or method to facilitate this operation. In other words, to create a differently cropped version, the user is required to start all over again from scratch with the original base image in the same way as if the user were replacing the current image with a completely different image as described in [0110]. Noda does not retain any information about where within the base image the cropped version was taken and Noda contains no notion of assisting the user in recropping the current base image by displaying the base image and a cropping indicator indicating the cropped portion relative to the base image.

Before leaving the Noda reference, the Examiner's comments on page 11 of the Action applying Noda to claims 21 and 26 will be briefly addressed. Applicants respectfully disagree with the Examiner's statement that "the Noda reference very clearly teaches that the user can open a template and that the system can automatically insert an image that is scanned into the first field in the template". As stated in Noda at [0024] "Fig. 4 is an explanatory diagram illustrating an example of display condition on the control screen, when a template is selected." Fig. 4 shows that template 47 initially contains no image content. This is confirmed by Fig. 12 and the related discussion starting at [0089], which clearly indicates that the template is empty when selected and images are subsequently added under user control.

Turning now to the newly cited Haeberli reference, Haeberli discloses a system for allowing a user to process uploaded photographs and incorporate the processed photographs into a product design containing one or more images. As shown in the upper left region of Figs. 6a and 6b, 9a and 9b, 12a and 12b, and 17a and 17b, Haeberli provides a user interface and user-selectable tools to allow the user

Amendment filed May 18, 2006
Serial No. 10/713,446

to control various attributes of the images, such as image rotation, cropping, effects, and borders.

Figs. 9a and 9b show the particular tools provided in Haeberli for the purpose of allowing the user to crop an image to select the portion of the image that will be subsequently incorporated into a product design. The product design could be, for example, a diptych (shown in Fig. 8b), a mug, a card, or a photographic print. Examples of image-based products are mentioned in Haeberli at col. 9, lines 4-7.

The Examiner notes that Figs. 9a and 9b depict a cropping indicator (904) that can be positioned by the user over a base image (906) to identify a desired area for cropping. The operation of the Haeberli cropping system, described at col. 13, line 65 to col. 14, line 24, is basically (a) the user opens the cropping interface, apparently by clicking on the "Crop" button available on various user interface displays (see upper left region in Fig. 6a, for example), (b) the user selects one of the buttons 912 to choose a crop shape 904, which is placed at an initial default location (see default placement of 904 in Fig. 9a), and (c) the user resizes and/or repositions the selected crop shape 904 using crop controls 916, 918 and 920 until the crop shape 904 is sized and positioned over the desired portion of the image 906 (for example, as shown in Fig. 9b). Cropping of the image is only one of several steps the user can take in the process of preparing the image for use in a product design. When the cropping operation is completed, the user will exit the cropping interface shown in Figs. 9a and 9b and can continue to perform other product preparation operations, which could include, for example, adding a border (Figs. 6a and 6b), entering text (Fig. 15a), selecting text position (Fig. 15b), creating a diptych (Fig. 8a), and so forth, depending on the particular type of product being designed by the user.

Haeberli's teaching on the subject of modifying a product design after it has been created and viewed by the user is, at best, skimpy. Haeberli mentions that the

Amendment filed May 18, 2006
Serial No. 10/713,446

user can changes product attributes, but the Haeberli disclosure is largely devoid of any description of how these changes might be accomplished. (See, for example, the minimal information contained in Fig. 20, which Haeberli identifies as a flow diagram of the process for changing product attributes, and the related discussion at col. 9, line 51 to col.10, line 27).

Regarding cropping, no other alternate operation of the Haeberli cropping interface is described. If the Haeberli user desires to modify the cropping of the image content of an image container in a product design, Haeberli provides no specific teaching regarding how this operation might be accomplished other than by the user activating the user interface shown in Fig. 9a and again performing the actions described at col. 13, line 65 to col. 14, line 24. As is the case in *Roses* and *Noda*, there is no disclosure in Haeberli that teaches that the user is not required to start image cropping over again from scratch every time the cropping interface is initiated. In particular, there is no teaching in Haeberli indicating that a user viewing a product design can select an image container in the product design for re-cropping and be shown the base image associated with that image container and a cropping indicator positioned to indicate the portion of the base image that is the current content of the image container. Even though Haeberli discloses retaining a description of the cropped portion of the image selected by the user, this retained information is described as being used for the purpose of creating preview images of a product or creating the product itself (see Fig. 21 and col. 21, lines 6-18). Haeberli does not teach or suggest how the saved cropping information might be used to facilitate re-cropping in the circumstance where a user, after a product design has been created and displayed to the user, desires to modify the cropping of the image content of an image container in the product design.

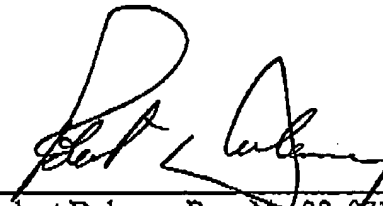
In summary, *Roses*, *Noda*, and Haeberli, viewed either alone or in combination, do not disclose or suggest Applicants' claimed systems and methods

Amendment filed May 18, 2006
Serial No. 10/713,446

allowing the user to select an image container in a displayed product design and, in response to a user request, display the base image associated with the selected image container and a cropping indicator positioned to indicate the portion of the base image that is the current content of the image container.

In view of the above comments and amendments to independent claims 1 and 11, it is believed that the cited references and the Examiner's objections have been overcome and all pending claims are in condition for allowance. Favorable action on all pending claims is respectfully requested.

Respectfully submitted,



Date: May 18, 2006

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